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CLERK, U.S. DISTRICT COURT  
ST. PAUL, MNUNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Okwuchukwu H. Jidefor

Plaintiff(s),

vs.

Case No. 22-cv-1711 NEB/BRT  
(To be assigned by Clerk of District Court)Lifetime Fitness Inc et al  
LTF Club Operations Company Inc  
Bahram Akradi  
Sky lifetime Fitness  
and John Doe is and was a employer  
and manager

DEMAND FOR JURY TRIAL

YES ☒NO ☐

Defendant(s).

(Enter the full name(s) of ALL defendants in  
this lawsuit. Please attach additional sheets  
if necessary).COMPLAINT

## PARTIES

1. List your name, address and telephone number. Do the same for any additional plaintiffs.

## a. Plaintiff

Name

Okwuchukwu H. Jidefor

Street Address

13880 Business Center Dr

County, City

Elk River

State &amp; Zip Code

MN 55331

Telephone Number



2. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption.

a. Defendant No. 1

Name Lifetime Fitness Inc et al  
Street Address 2901 Corporate Pl  
County, City Chanhassen  
State & Zip Code MN 55317

b. Defendant No. 2

Name Sky lifetime Fitness  
Street Address 605 W 42nd St  
County, City New York  
State & Zip Code NY 10036

c. Defendant No. 3

Name Bahram Akrafi  
Street Address 2901 Corporate Pl  
County, City Chanhassen  
State & Zip Code MN 55317

**NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.**

Check here if additional sheets of paper are attached: ☐

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.d., 2.e., etc.)

## JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case.

3. What is the basis for federal court jurisdiction? (*check all that apply*)

☐ Federal Question

☒ Diversity of Citizenship

4. If the basis for jurisdiction is Federal Question, which Federal Constitutional, statutory or treaty right is at issue? List all that apply.

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff Name: Okwuchukwu Jideofor State of Citizenship: MN

Defendant No. 1: County of Sherburne State of Citizenship: MN

Defendant No. 2: MEND Correctional Care LLC State of Citizenship: MN

Attach additional sheets of paper as necessary and label this information as paragraph 5.

Check here if additional sheets of paper are attached. ☐

6. What is the basis for venue in the District of Minnesota? (*check all that apply*)

☐ Defendant(s) reside in Minnesota

☒ Facts alleged below primarily occurred in Minnesota

☐ Other: explain

## STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Each paragraph must be numbered

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4. If the basis for jurisdiction is Federal Question, which Federal Constitutional, statutory or treaty right is at issue? List all that apply.

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff Name: Okwu Chukwura Jidefor State of Citizenship: MN

Defendant No. 1: Life Time Fitness et al State of Citizenship: MN

Defendant No. 2: Bahram Akradi State of Citizenship: MN

Attach additional sheets of paper as necessary and label this information as paragraph 5.

Check here if additional sheets of paper are attached. ☐

6. What is the basis for venue in the District of Minnesota? (check all that apply)

☐ Defendant(s) reside in Minnesota ☐ Facts alleged below primarily occurred in Minnesota

☒ Other: explain

Facts alleged occurred in New York NY

## STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Each paragraph must be numbered

separately, beginning with number 7. Please write each single set of circumstances in a separately numbered paragraph.

7. Plaintiffs have exhausted or have constructively exhausted all administrative remedies required by Life Time Fitness Inc and LTF Club operations company Inc LTF Club management company (Collectively lifetime fitness)

⑧ Plaintiffs Filed grievances in accordance with Lifetime Fitness's Policies and Procedures, and these grievances went unaddressed manner that did not address Plaintiffs grievances.

⑨ Defendants ignoring Plaintiff's Formal and Informal grievances.

⑩ Failure to warn, Punitive damages, misconduct, Negligence, gross negligence, Negligent infliction of emotional distress, Time, labor and Risk, Service Award.  
Attach additional sheets of paper as necessary.

Check here if additional sheets of paper are attached: ☒ Yes

Please label the attached sheets of paper to as Additional Facts and continue to number the paragraphs consecutively.

#### REQUEST FOR RELIEF

① Award such other and Further relief as to this court deems just and proper. State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

② Award Plaintiff Compensatory damages for Physical injuries and mental distress suffered.

③ Issue a declaratory judgment actions of negligence policies, acts, and omissions complained of herein has been the cause of Plaintiff's injuries and Expenses. Pain and Suffering and other injuries.

④ Grant Plaintiffs request for a money judgment in an amount to be determined at trial against all Defendants for nominal Compensatory Special, and Punitive damages with cost and disbursements including reasonable attorney fees.

⑤ Plaintiffs loss and injuries reasonable compensation that the court deems to be just and equitable the medical expenses

### **ALLEGATIONS OF PLAINTIFF'S COMPLAINT**

11. This is a Intentionally Negligent and Infliction of Emotional Distress Claim involving the policies, practices, actions, omission law premises, Compensatory, injunctive, and other equitable relief as the Court may see just.
12. Plaintiff Injuries sustained are a Proximate and direct result of the practices, actions, omissions, negligent, misrepresentation Failure of Warning & Intentional Act of the Defendant and it's employees.
13. Plaintiff brings this action under the Negligent Failure to Warn Claims Act to redress the violations by Defendants.
14. As a proximate result of the Defendant(s) policies, practices, actions, omissions, negligent and wrongful acts of Defendant and Employees complained of herein, and the conditions and circumstances described herein to which plaintiff was subjected, Plaintiff suffered, does suffer, and will continue to suffer immediate and irreparable damage. Plaintiff has no plain, adequate, or complete remedy at law to redress the intentional wrongs described herein.
15. The Complaint states that Defendant LIFETIME FITNESS INC., LTC CLUB MANAGAGEMENTNT COMPNAY, LTC CLUB OPERATIONS INC. (collectively LIFETIME FITNESS) Constitute a nation wide chain of health and fitness facilities under the control of the Corporate office of LIFETIME FITNESS INC. Located in MINNESOTA, and hold themselves out to the General Public as a single enterprise each liable for the Violations of the other.

16. LIFETIME FITNESS is a MINNESOTA CORPORATION that operates a chain of health fitness centers across the nation.
17. Defendant BAHRAM AKRADI, Founded LIFETIME FITNESS, he acted as its Chairman of the Board, President and CEO SKY LIFETIME FITNESS location on 605 W. 42<sup>nd</sup> Street, New York, NY 10036.
18. They run each location identically with the same kind of facility and service, they share employees, they have common management they pool their resources, they have common ownership and operate from the same Corporate Headquarters, they have the same operating name, they advertise together on the same website, and they use the same business model.
19. They operate approximately 120 LIFETIME FITNESS locations in twenty-one States and twenty-six Major Cities and employ approximately 22,000 employees nationwide.
20. Defendant LTF CLUB OPERATIONS CO INC. d/b/a LIFETIME FITNESS.
21. Plaintiff avers that the employees at the club failed to inform the Plaintiff of the Risk of Harm Zone Dangers.
22. On or about January 2020, Plaintiff further alleges the injury occurred while attending an event at SKY LIFETIME FITNESS CENTER in Manhattan, New York, NY.



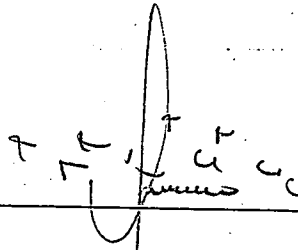
23. Plaintiff avers an employee by LIFETIME FITNESS Carelessly and Negligently placed a bottle of VODKA in his personal Locker without his knowledge or Consent, after the event Plaintiff opened his locker a bottle of VODKA fell out of the locker onto his leg and soiled and damaging his clothing.
24. Plaintiff avers liability for its Negligence Failure to Warn of Unsafe, Dangerous, Operation's of it's Fitness Club.
25. Plaintiff received Medical Care for his injuries and had to have surgery on his leg to repair the damage caused by the bottle of VODKA left in the Plaintiff's locker. Plaintiff avers Defendant was accessing the locker without Authorization.
26. Plaintiff submitted Injury Report to the General Manager/Staff at SKY LIFETIME FITNESS, Front Desk stating that he was hit on his leg with a bottle that had fallen from his locker.
27. The Plaintiff suffered a Financial loss as well as physical and mental injuries as a result of the Defendants Carelessly Neglecting to inform Plaintiff of the risks
28. Plaintiff suffers from pain and limited mobility to this day due to the injury.
29. The Plaintiff avers that the Defendant negligently omitted the possibility of Physical Injury at all times relevant to the actions and events described herein, the Defendant(s) have acted Carelessly and Negligently.



30. Defendant(s) and employee Negligently Maintained safe manner of it's club locations, Defendant was the Manager of this location. Causing Severe and Permanent Injury and Significant Pain and Suffering on February 2020.
31. Plaintiff further alleges that Defendant was joined because even in cases where employee of LIFETIME FITNESS may be held Vicariously Liable for the actions of it's employees, the employer and employees may still be held severally liable to Intentional Negligence Claim against the employees.
32. Plaintiff avers LIFETIME FITNESS and it's owners and employees are suppose to provide a safe environment. Defendant is to have proper safety protocols set in place to prevent any injuries from occurring.
33. Defendant(s) is Liable for leaving a bottle of VODKA in Mr. JIDOEFOR'S locker at the SKY LIFETIME CLUB where Plaintiff was injured.
34. The acts committed by the Defendant giving rise to this Complaint were the result of Willful and Wanton Act of Misconduct by the Defendant(s) employee of LIFETIME FITNESS . The Violations in this Complaint were Intentionally against Statutory. Clearly established at the time of the Violations No Proper defense of qualified Waiver of Liability can be raised as a result.

Signed this 24 day of June 2022

Signature of Plaintiff

A handwritten signature in black ink, appearing to read "T. J. Adams", written over a horizontal line.

Mailing Address

13880 Business Center Dr  
Elk River MN 55331

Telephone Number

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide his/her mailing address and telephone number. Attach additional sheets of paper as necessary.